

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

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IN RE MBNA CORPORATION :
DERIVATIVE AND CLASS :
LITIGATION : Lead Case No. 1:05-cv-00327-GMS
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This Document Relates To: :
: ALL ACTIONS. :
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STIPULATION AND ORDER

WHEREAS plaintiffs filed a Consolidated Amended Shareholders' Class and Derivative Complaint in these actions on November 21, 2005,

WHEREAS that consolidated amended complaint adds Kenneth D. Lewis as a defendant and Bank of America Corporation as a nominal defendant,

WHEREAS the parties previously submitted a Stipulated Order Consolidating Actions and Appointing Co-Lead Counsel that was entered by the Court on August 25, 2005,

WHEREAS under the schedule established by that Stipulated Order, the original defendants' response to the consolidated amended complaint is currently due on January 20, 2006,

WHEREAS the parties agree that it is most efficient for all defendants to respond to the consolidated amended complaint on the same date,

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties herein and subject to the Order of this Court, that

defendant Kenneth M. Lewis and nominal defendant Bank of America Corporation shall have until January 20, 2006 to answer, move to dismiss or otherwise respond to the Consolidated Amended Shareholders' Class and Derivative Complaint.

December 9, 2005

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SO ORDERED, this ____ day of December, 2005

United States District Judge